

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1118 be amended to read as follows:

- 1       Page 4, line 20, delete "(a)".
- 2       Page 4, delete lines 26 through 31.
- 3       Page 21, delete lines 36 through 42, begin a new paragraph and
- 4       insert:
- 5       "SECTION 46. IC 7.1-3-22-4 IS AMENDED TO READ AS
- 6       FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. ~~Dealers' Permits~~
- 7       ~~Limited.~~ (a) The commission may grant: ~~only~~
- 8           (1) one (1) beer dealer's permit ~~and in an:~~
- 9               (A) **incorporated city or town or that has a population of**
- 10              **less than fifteen thousand one (15,001); or**
- 11               (B) **unincorporated town;**
- 12           **for each one thousand five hundred (1,500) persons, or**
- 13           **fraction thereof, within the incorporated city or town**
- 14           **described in clause (A) or unincorporated town;**
- 15           (2) **in an incorporated city or town that has a population of**
- 16           **more than fifteen thousand (15,000) but less than eighty**
- 17           **thousand (80,000):**
- 18               (A) **one (1) beer dealer's permit for each three thousand**
- 19               **(3,000) persons, or a fraction thereof; or**
- 20               (B) **ten (10) beer dealer's permits;**
- 21           **whichever is greater, within the incorporated city or town;**
- 22           **and**
- 23           (3) **in an incorporated city or town that has a population of at**
- 24           **least eighty thousand (80,000):**
- 25               (A) **one (1) beer dealer's permit for each five thousand**
- 26               **(5,000) persons, or a fraction thereof; or**
- 27               (B) **twenty-seven (27) beer dealer's permits;**
- 28           **whichever is greater, within the incorporated city or town.**
- 29       (b) **The commission may grant:**
- 30           (1) **one (1) liquor dealer's permit in an:**
- 31               (A) **incorporated city or town that has a population of less**

- 1           **than fifteen thousand one (15,001); or**
- 2           **(B) unincorporated town;**
- 3           for each one thousand five hundred (1,500) persons, or fraction
- 4           thereof, within the incorporated city or town **described in clause**
- 5           **(A) or unincorporated town;**
- 6           **(2) in an incorporated city or town that has a population of**
- 7           **more than fifteen thousand (15,000) but less than eighty**
- 8           **thousand (80,000):**
- 9           **(A) one (1) liquor dealer's permit for each three thousand**
- 10           **(3,000) persons, or a fraction thereof; or**
- 11           **(B) ten (10) liquor dealer's permits;**
- 12           **whichever is greater, within the incorporated city or town;**
- 13           **and**
- 14           **(3) in an incorporated city or town that has a population of at**
- 15           **least eighty thousand (80,000):**
- 16           **(A) one (1) liquor dealer's permit for each five thousand**
- 17           **(5,000) persons, or a fraction thereof; or**
- 18           **(B) twenty-seven (27) liquor dealer's permits;**
- 19           **whichever is greater, within the incorporated city or town.**
- 20           **(c) Notwithstanding subsections (a) and (b), the commission may**
- 21           **renew or transfer a beer dealer's or liquor dealer's permit for a**
- 22           **beer dealer or liquor dealer that:**
- 23           **(1) held a permit before July 1, 2008; and**
- 24           **(2) does not qualify for a permit under the quota restrictions**
- 25           **set forth in subsection (a) or (b).**
- 26           **(d) Notwithstanding subsection (a) and subject to subsection (f),**
- 27           **the commission may grant not more than two (2) new beer dealer's**
- 28           **permits or five percent (5%) of the total beer dealer permits**
- 29           **established under the quota restrictions set forth in subsection (a),**
- 30           **whichever is greater, for an incorporated city or town or**
- 31           **unincorporated town that does not qualify for any new beer**
- 32           **dealer's permits under the quota restrictions set forth in subsection**
- 33           **(a).**
- 34           **(e) Notwithstanding subsection (b) and subject to subsection (f),**
- 35           **the commission may grant not more than two (2) new liquor**
- 36           **dealer's permits or five percent (5%) of the total liquor dealer**
- 37           **permits established under the quota restrictions set forth in**
- 38           **subsection (b), whichever is greater, for an incorporated city or**
- 39           **town or an unincorporated town that does not qualify for any new**
- 40           **liquor dealer's permits under the quota restrictions set forth in**
- 41           **subsection (b).**
- 42           **(f) To grant additional permits under subsection (d) or (e), the**
- 43           **commission shall:**
- 44           **(1) investigate the desirability of the permit by considering:**
- 45           **(A) whether there is a need for the services at the**
- 46           **requested location of the dealer permit;**
- 47           **(B) the desire of the neighborhood or the community to**
- 48           **receive the services;**

- 1           **(C) the impact of the services on other businesses in the**
  - 2           **neighborhood or community; and**
  - 3           **(D) the impact of the services on the neighborhood or**
  - 4           **community; and**
  - 5           **(2) consider the increase or decrease in population in the**
  - 6           **incorporated city or town since the last decennial census."**
  - 7           Delete pages 22 through 23.
  - 8           Page 25, delete lines 19 through 42.
  - 9           Page 26, delete lines 1 through 9.
  - 10          Page 34, line 41, delete "shall" and insert "**may**".
  - 11          Page 35, line 1, delete "training" and insert "**training, employee**
  - 12          **age,**".
  - 13          Renumber all SECTIONS consecutively.
- (Reference is to EHB 1118 as printed February 22, 2008.)

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Senator LANANE